

August 23, 2993

AN EXECUTIVE ORDER
by the
Governor of the State of California

WHEREAS, wetlands act as primary producers in the food chain, help retain floods, recharge and discharge groundwater, act as water quality filters, provide recreational and scenic values, and harbor a significant number of California's threatened and endangered plant and animal species;

WHEREAS, in the nineteenth century and early decades of the twentieth century as much as ninety percent of California's historical wetlands base were converted to other uses, with a consequent reduction in the functions and values wetlands provide;

WHEREAS, wetlands in California continue to be converted to other uses and degraded by sedimentation, loss of associated upland habitat, and other factors;

WHEREAS, past conservation efforts have resulted in the long-term protection of approximately two-thirds of California's remaining wetland acreage;

WHEREAS, the administration of wetlands programs is often time consuming, duplicative, inconsistent, and therefore costly to landowners and public agencies;

WHEREAS, it is the policy of the State of California to streamline regulatory permitting processes;

Now, therefore, I, Pete Wilson, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue the following orders and directives, to become effective immediately:

- I. It is hereby declared to be the policy of the State of California that all State government programs and policies that affect the wetlands of California be coordinated as described herein.
- II. It is hereby declared to be the policy of the State of California that its Comprehensive Wetlands Policy rests on three primary objectives:

1) To ensure no overall net loss and long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California in a manner that fosters creativity, stewardship, and respect for private property.

2) To reduce procedural complexity in the administration of State and Federal wetlands conservation programs.

3) To encourage partnerships to make restoration, landowner incentive programs, and cooperative planning efforts the primary focus of wetlands conservation.

All agencies of the State shall conduct their activities, consistent with their existing authorities, in accordance with these three objectives.

III. The California Wetlands Conservation Policy addresses wetlands inventory, planning, wetlands regulation, landowner incentives, wetlands mitigation banking, and other wetlands conservation approaches (e.g., acquisition, restoration, management, and education). The goal of the California Wetlands Conservation Policy is to achieve a long term increase of wetlands acreage, functions and values in California. Steps taken to achieve this goal shall emphasize maintaining economic uses (e.g., agriculture) of restored and enhanced lands and be achieved through the voluntary participation of landowners. This goal is not meant to be achieved on a permit-by-permit basis. The Task Force or specific agencies as identified in the "California Wetlands Conservation Policy", will develop and implement the following:

- (a) a Statewide wetlands inventory and wetlands accounting system;
- (b) identification and implementation of regional and Statewide wetlands restoration goals;
- (c) State agency assistance and support for local and regional wetlands planning efforts;
- (d) promotion of landowner incentive programs to preserve, restore, and enhance wetlands, including the provision of adequate funding from State and Federal sources;

- (e) delegation of the permitting authority for the Federal Clean Water Act Section 404 program from the U.S. Army Corps of Engineers to the San Francisco Regional Water Quality Control Board and, for a limited set of activities, the San Francisco Bay Conservation and Development Commission as part of a longer term effort to explore feasibility of Statewide delegation, with adequate Federal funding, of the program;
- (f) development of a consistent regulatory wetlands definition for State agencies that improves the overall efficiency of the Federal-State permitting process;
- (g) development of a balanced Statewide policy concerning Army Corps of Engineers nationwide permits;
- (h) development of consistent standards and guidelines concerning mitigation and monitoring of mitigation and restoration efforts;
- (i) actions that promote efficiency of wetlands-related permitting processes of various State agencies, including but not limited to creation of consistent deadlines, establishment of concurrent permit review procedures, and sponsorship of pre-application consultations between permittees and permitting agencies;
- (j) development of means to provide flexibility in the regulatory process for the accidental or unintentional creation of wetlands, and for allowing public agencies, water districts, and landowners to establish wetlands on their property consistent with the primary purpose of the property;
- (k) development of Statewide wetland mitigation banking guidelines and the development of demonstration wetland mitigation banks in the Central Valley;
- (l) enhanced coordination of State, Federal, and private acquisition, restoration, and incentive programs, including the establishment of a demonstration program in Southern California;
- (m) ongoing management of wetlands which maintains or enhances wetlands values and recognizes the responsibility to minimize impacts to surrounding landowners;
- (n) the development of internal policies within State agencies that encourage wetland conservation activities which are compatible with programmatic goals such as

flood control, groundwater recharge, water management, water pollution control, recreation, and other purposes;

- (o) such other matters as are deemed necessary to carry out the purposes of this Executive Order.

IV. It is hereby declared to be the policy of the State of California that the California Wetlands Policy and Plan will initially emphasize Regional Strategies in the Central Valley, the San Francisco Bay Area, and in Southern California. They will be designed to test how wetlands programs can be implemented, refined, and combined in unique ways to achieve the goals and objectives of this California Wetlands Conservation Policy.

V. An Interagency Task Force on Wetlands will be established by the Secretary for Resources and Secretary for Cal/EPA to provide coordination and information exchange among agencies, boards, commissions, and departments as necessary to ensure continued coordinated development and implementation of the California Wetlands Conservation Policy. The Task Force shall invite the participation as necessary of other boards and commissions, and local, Federal, and private agencies which have jurisdiction, expertise, and resources which may contribute to the continued development and implementation of The California Wetlands Conservation Policy. The Secretary of the Resources Agency and the Secretary for Cal/EPA shall serve as co-chairmen.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of California to be affixed this 23rd day of August 1993.

PETE WILSON
Governor of California

Attest:

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Secretary of State